



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 8 1999

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Mr. Lawrence Hettleman
Vice President and General Counsel
Southern Galvanizing Company
1620 Bush Street
Baltimore, MD 21230

Dear Mr. Hettleman:

This letter is in response to your June 17, 1999 letter to Senator Mikulski expressing your concern about the Environmental Protection Agency labeling zinc as a persistent, bioaccumulative, and toxic (PBT) chemical. Senator Mikulski forwarded your letter to us.

As you know, we included zinc as one of 53 chemicals we proposed to include on the Resource Conservation and Recovery Act (RCRA) PBT List. We included zinc on the Draft List because of its potential for ecosystem impacts, such as toxicity to fish when released into surface waters. When we finalize the PBT list, we will encourage companies to voluntarily try to remove the chemicals on the list from their hazardous waste streams through source reduction or recycling, to the extent possible.


During the public comment period (November 9, 1998 through February 16, 1999), we received a number of comments expressing concerns similar to yours regarding the placement of zinc and other metals on the list. More specifically, commenters suggested we use bioavailability rather than persistence in evaluating metals, and suggested we reevaluate how we use some information in the screening and ranking steps of the methodology we use to develop the list. Commenters also suggested we improve scientific consistency.

In an attempt to further understand concerns expressed through comment, we also met with representatives from a number of metals trade associations and individual companies, including the American Zinc Association you referenced in your letter. Let me assure you that we will review these comments and issues carefully before deciding whether to include zinc on the Final PBT List. We plan to finalize the list in January of 2000.

Faxback 14366

Again, thank you for providing your views on this matter.

Sincerely,



Elizabeth A. Cotsworth, Director
Office of Solid Waste

cc: Robert Ulmer,
Offices of the Honorable Barbara Mikulski